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INST. NO 2005

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010379

LANCASTER COUNTY, NE

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RESOLUTION NO. PC- 00901

SPECIAL PERMIT NO. 05001

1 WHEREAS, Cofco, LLC, has submitted an application designated as Special Permit
2 No. 05001 for authority to sell alcoholic beverages for consumption off the premises at Gas 'n Shop
3 located south of the intersection of Sun Valley Blvd. and West O Street, legally described as:

4 A part of Lot 98, I.T. in the Northeast Quarter of Section 27,
5 Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster
6 County, Nebraska, and being more particularly described by metes
7 and bounds as follows:

8 Beginning at a 5/8 inch x 30 inch rebar for the northeast corner of
9 the tract herein described on the south right-of-way line of West O
10 Street, said point also being the northeast corner of said Lot 98 I.T.,
11 and being south 89 degrees 28 minutes 18 seconds west, 754.10
12 feet, and south 00 degrees 31 minutes 42 seconds east, 92.32 feet
13 from the northeast corner of the aforesaid Section 27; thence south
14 00 degrees 09 minutes 09 seconds east (assumed bearing), a
15 distance of 79.10 feet along and with the east line of said Lot 98 I.T.
16 to the point of curvature of a curve to the right, having a central
17 angle of 07 degrees 40 minutes 00 seconds, a radius of 2172.01
18 feet, an arc length of 290.63 feet, and a chord bearing south 03
19 degrees 41 minutes 00 seconds west, 290.42 feet; thence
20 southwesterly along and with the arc of said curve, a distance of
21 290.43 feet to the point of tangency thereof; thence south 07
22 degrees 31 minutes 00 seconds west, continuing along the aforesaid
23 east line of Lot 98 I.T., a distance of 150.79 feet to a point thereon
24 for the southeast corner of the tract herein described; thence north
25 89 degrees 54 minutes 00 seconds west, a distance of 708.04 feet
26 to the southeast corner of Lot 70 I.T., and being the southwest
27 corner of the tract herein described; thence north 00 degrees 06
28 minutes 00 seconds east, a distance of 518.50 feet along and with
29 the east line of said Lot 70 I.T. to the northeast corner thereof and
30 the northwest corner of the tract herein described, on the south right-
31 of-way line of O Street; thence south 89 degrees 53 minutes 55
32 seconds east, a distance of 745.31 feet along and with the said
33 south right-of-way line to the place of beginning;

Teresa - City Clerk

1 WHEREAS, the real property adjacent to the area included within the site plan for
2 this permit to sell alcoholic beverages for consumption off the premises will not be adversely
3 affected; and

4 WHEREAS, said site plan together with the terms and conditions hereinafter set
5 forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote
6 the public health, safety, and general welfare.

7 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County
8 Planning Commission of Lincoln, Nebraska:

9 That the application of Cofco, LLC, hereinafter referred to as "Permittee", to sell
10 alcoholic beverages for consumption off the premises on property legally described above be and
11 the same is hereby granted under the provisions of Section 27.63.685 of the Lincoln Municipal
12 Code upon condition that operation of said licensed premises be in strict compliance with said
13 application, the site plan, and the following additional express terms, conditions, and requirements:

14 1. This permit approves the sale of alcoholic beverages for consumption off the
15 premises.

16 2. Before receiving building permits the Permittee submit six copies of a revised
17 site plan to the Planning Department, for review and approval, that includes:

- 18 a. Dimensions.
- 19 b. Property lines.
- 20 c. Scale.
- 21 d. Clearly delineates the licensed premises.
- 22 e. Parking calculations.
- 23 f. Parking lot layout.

24 3. Before the sale of alcohol for consumption off the premises, all development
25 and construction must conform to the approved plans.

1 4. The site plan accompanying this permit shall be the basis for all
2 interpretations of setbacks, yards, location of buildings, location of parking and circulation
3 elements, and similar matters.

4 5. The terms, conditions, and requirements of this resolution shall be binding
5 and obligatory upon the Permittee, its successors, and assigns. The building official shall report
6 violations to the City Council which may revoke the special permit or take such other action as may
7 be necessary to gain compliance.


8 6. The Permittee shall sign and return the City's letter of acceptance to the City
9 Clerk within 30 days following approval of the special permit, provided, however, said 30-day period
10 may be extended up to six months by administrative amendment. The City Clerk shall file a copy
11 of the resolution approving the special permit and the letter of acceptance with the Register of
12 Deeds, filing fees therefor to be paid in advance by the Permittee.

13 The foregoing Resolution was approved by the Lincoln City-Lancaster County
14 Planning Commission on this 2nd day of February, 2005.

Attest:


Chair

Approved as to Form & Legality:


Chief Assistant City Attorney

LETTER OF ACCEPTANCE

Lincoln City Council
City of Lincoln
Lincoln, Nebraska

RE: **Special Permit No. 05001**
(Off-Sale Alcohol - Sun Valley Blvd. & West "O")

TO THE CITY COUNCIL:

I, Dorothy Bockoven, President or authorized representative of **Cofco, L.L.C.**, herein called "Permittee" under **Special Permit No. 05001**, granted by Resolution No. PC-00901, adopted by the Lincoln City-Lancaster County Planning Commission on February 2, 2005, do hereby certify that I have thoroughly read said resolution, understand the contents thereof, and do hereby accept, without qualification, all of the terms, conditions and requirements therein.

DATED this 24 day of February, 2005.

Dorothy Bockoven, #20036
President/Authorized Representative
Attorney for Cofco, L.L.C.

LTRACCEP/jlu
06/14/00

CERTIFICATE

STATE OF NEBRASKA)
COUNTY OF LANCASTER) SS:
CITY OF LINCOLN)

I, Teresa J. Meier, Deputy City Clerk of the City of Lincoln, Nebraska, do hereby certify that the above and foregoing is a true and correct copy of **Special Permit 05001** as adopted and approved by **Resolution No. PC-00901** of the Lincoln City-Lancaster County Planning Commission at its meeting held **February 2, 2005** as the original appears of record in my office, and is now in my charge remaining as Deputy City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 25th day of February, 2005.

Teresa J. Meier
Deputy City Clerk

